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March 8, 2005

Clerk
U.S. District Court
District of Massachusetts
U.S. Courthouse
1 Courthouse Way, Suite 2300
Boston, MA 02110


Re: EarthSource, Inc. v. Town of Raynham, et al.
United States District Court C.A. No. 04-10373-REK

Dear Sir or Madam:

Enclosed for filing in the above-referenced matter please
find a Stipulation of Dismissal.

Thank you for your attention to this matter.

Very truly yours,



Jennifer C. Roman

Enclosures

cc: Robert Kelly
Mark R. Reich, Esquire

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. No. 04-10373-REK


EARTHSOURCE, INC.,)
Plaintiff,)
)
v.)
)
THE TOWN OF RAYNHAM,)
GORDON D. LUCIANO,)
DONALD L. MCKINNON,)
RAYMOND W. PLATT,)
individually & as)
members of the)
Raynham Board of Health,)
Defendants.)

STIPULATION OF DISMISSAL

It is agreed between all parties that the within action, may be dismissed, with prejudice, without costs and with all rights to an appeal waived.

EARTHSOURCE, INC.,

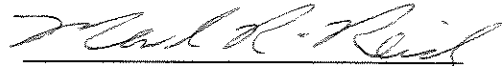
By its attorneys,


Joel A. Kozol, BBO# 278620
Michael P. Morizio, BBO# 549593
Jennifer C. Roman, BBO# 643223
Friedman & Atherton LLP
53 State Street
Boston, MA 02109
(617) 227-5540

Dated: February 9, 2005

TOWN OF RAYNHAM,
GORDON D. LUCIANO,
DONALD L. MCKINNON,
RAYMOND W. PLATT,
INDIVIDUALLY AND
AS MEMBERS OF THE
BOARD OF HEALTH,

By their attorneys,



Mark R. Reich, BBO# 553212
Joseph L. Tehan, BBO# 494020
Katharine Goree Doyle, BBO# 634131
Kopelman and Paige, P.C.
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(617) 556-0007

Dated: 2 - 8 - 05